

Remarks/Arguments

Reconsideration of this application, as amended, is respectfully requested.

Claims 1 and 3-8, are pending in this application.

Claims 1, and 6-8 stand rejected under 35 U.S.C. 102(b) as being anticipated by Kluver et al. (US 5,568,716), while claims 3-5 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Kluver. It is respectfully submitted that these rejections are in error as the sensor for sensing the wrapping material does not perform the sensing required by claim 1.

Claim 1 has been amended to include the subject matter of claim 2, which has been cancelled. Among other structure, the baling machine defined in claim 1 requires a wrapping device for feeding wrapping sheet through a wrapping sheet feed location provided in the baling chamber so as to be seized by, and wrap, a formed bale, and at least one sensor "for detecting whether the wrapping sheet is present on the **surface** of the bale" (emphasis added).

Kluver discloses a feed sensor 58 including a roll 60 that carries a magnet 65 and is mounted to an arm which is biased so that the roll 60 engages the surface of a supply roll of wrapping material. When material is being pulled off the roll during the wrapping process, the roll rotates and causes the roll 60 to rotate. A reed switch 61 is provided in the vicinity of the roll 60 so that as the magnet 65 rotates past the switch a signal is sent to a computer which computes the amount of wrapping material pulled off the supply roll. This type of sensing has the drawback that if the wrapping material somehow becomes jammed before it reaches the baling chamber, this is not known by the operator until the bale is ejected. This sensor **does not** detect whether the wrapping material is **present on the surface of the bale**, as required by claim 1.

Thus, claim 1 is thought allowable. Claims 3-8 depend either directly or indirectly from claim 1 and are likewise thought allowable.

Claim 3 is thought allowable for the additional reason that it requires the sensor to be located for sensing the wrapping material on the surface of the bale **at a location downstream** from the location where the material is fed into the baling chamber and the sensor 58 of Kluver is not located as required.

Claim 4 is thought allowable for the additional reason that it requires the at least one sensor to be located upstream of the location where the wrapping sheet is

fed into the baling chamber, and the sensor 58 of Kluver is not located as required.

Claim 5 is thought allowable for the additional reason that it requires two sensors for detecting whether wrapping sheet is present on the surface of the bale, with one sensor being located downstream, and the other sensor being located upstream, of the location where the wrapping sheet is fed into the baling chamber, and Kluver does not teach placing any sensor for sensing the presence of wrapping sheet on the surface of a bale located in the baling chamber.

In conclusion, it is believed that this application is in condition for allowance, and such allowance is respectfully requested.

Any fees or charges due as a result of filing of the present paper may be charged against Deposit Account 04-0525. Two duplicates of this page are enclosed.

Respectfully,



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